IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF VIRGINIA ROANOKE DIVISION

CLERK'S OFFICE U.S. DIST. COURT AT ROANOKE, VA FILED

JAN 0 9 2006

JOHN F. CORCORAN, CLERK BY: DEPUTY CLERK

DARYLL SHUMAKE, Plaintiff,) Civil Action No. 7:05cv00802
v.)) <u>FINAL ORDER</u>
A.P. HARVEY, <u>et al.,</u> Defendants.)) By: Samuel G. Wilson
) United States District Judge

In accordance with the Memorandum Opinion entered this day, it is hereby

ADJUDGED AND ORDERED

that this action is **DISMISSED** pursuant to 28 U.S.C. § 1915A(b)(1) and is **STRICKEN** from the active docket of the court.

The Clerk of the Court is directed to send a certified copy of this Order to the plaintiff.

ENTER: This 4/1/2 day of January, 2006.

UNITÉD STATES DISTRICT JUDGE